

**AFFIDAVIT OF SPECIAL AGENT PETER COSTE IN SUPPORT OF
APPLICATIONS FOR A CRIMINAL COMPLAINT AND A SEARCH WARRANT**

I, Peter Coste, having been duly sworn, do hereby depose and state as follows:

Agent Background

1. I am a Special Agent with Homeland Security Investigations (“HSI”) and have been so employed since December 2018. I have successfully completed a training program in conducting criminal investigations at the Federal Law Enforcement Training Center in Glynco, Georgia. In 2017, I graduated from Fairleigh Dickinson University at Teaneck, New Jersey with a B.A. degree in Individualized Studies with a Specialization in Criminal Justice. My current duties as an HSI Special Agent include conducting investigations involving the fraudulent acquisition, production, and misuse of United States immigration documents, United States passports, and identity documents. Due to my training, experience, and conversations with other law enforcement officers, I am familiar with the methods, routines, and practices of document counterfeiters, vendors, and persons who fraudulently obtain or assume false identities.

2. I am also a member of HSI’s Document and Benefit Fraud Task Force (“DBFTF”), a specialized field investigative group comprised of personnel from various state, local, and federal agencies with expertise in detecting, deterring and disrupting organizations and individuals involved in various types of document, identity and benefit fraud schemes. DBFTF is currently investigating suspected aliens who are believed to have obtained stolen identities of United States citizens living in Puerto Rico and used those identities to obtain public benefits, which they would not otherwise be eligible to receive, including Massachusetts Registry of Motor Vehicles (“RMV”) identity documents, Social Security numbers (“SSNs”), MassHealth benefits, public housing benefits, and unemployment benefits. Agents have conducted an analysis of individuals who have received certain public benefits in Puerto Rico and Massachusetts on or

about the same dates in an effort to identify individuals in Massachusetts who have been unlawfully and fraudulently using the identities of United States citizens.

Purpose of Affidavit

3. I submit this affidavit in support of an application for a criminal complaint charging John DOE with (1) False Representation of a Social Security Number, in violation of 42 U.S.C. § 408(a)(7)(B), and (2) Aggravated Identity Theft, in violation of 18 U.S.C. § 1028A.

4. I also submit this affidavit in support of an application for a search warrant for the following property: 55 Lonsdale Street, Apartment 2, Dorchester, Massachusetts, as described in Attachment A. I have probable cause to believe that this property contains evidence, fruits, and instrumentalities of the crimes identified above, as described in Attachment B.

5. As set forth in more detail below, there is evidence that John DOE unlawfully used the name and SSN of a real person while knowing that these identifiers belonged to a real person. Among the evidence that John DOE knew that this identity was that of a real person is his successful use of the identity to obtain multiple official government identification documents and his use of this identity to earn wages.

6. This affidavit is based on my personal knowledge, information provided to me by other law enforcement officers and federal agents, and my review of records described herein. This affidavit is not intended to set forth all of the information that I have learned during this investigation but includes only the information necessary to establish probable cause for the requested complaint and search warrant.

Probable Cause

The RMV Application

7. On August 10, 2016, an individual submitted an application for the renewal of a Massachusetts driver's license at the Haymarket Registry of Motor Vehicles (RMV) office in Boston, Massachusetts. The applicant represented on the application that he was a person whose initials were A.F.V.¹ He further represented that his date of birth was xx/xx/1981, and that his SSN was xxx-xx-0664. The RMV possessed a photograph of the applicant taken on January 20, 2011, as part of a previous driver's license application. The individual purporting to be A.F.V. signed the application under penalty of perjury. As a result of that application, the RMV issued the person purporting to be A.F.V. a driver's license with no. Sxxxx3734.

Other Use of the Imposter Identity

8. The Medicaid Program is a joint federal-state program that provides health coverage to certain categories of people, including eligible low-income adults, children, pregnant women, the elderly, and people with disabilities. Medicaid is administered by the states, according to federal requirements, and is funded jointly by the states and the federal government. MassHealth is the Medicaid Program in Massachusetts.

9. According to MassHealth records, between March 2019 and January 2020, at least one application for MassHealth benefits was submitted to MassHealth in the name of A.V. The application submitted on or about November 21, 2019, lists SSN xxx-xx-0664 and a date of

¹ I am protecting the identity of the victim by using initials only. The identity of the victim, A.F.V. is known to the government. These initials represent the victim's first and last names. To protect the victim's privacy, only the initials "A.F.V.," "A.V.," and "A.F." are used in this affidavit to reflect variations of the victim's full name.

birth of xx/xx/1981. The application contained a copy of a Massachusetts Driver's License in the A.V. identity bearing the number xxxxx3734. The application lists an address of 55 Lonsdale Street, Apt 2, Dorchester, MA.

10. On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") was signed into law. The CARES Act created a new temporary federal unemployment insurance program called Pandemic Unemployment Assistance ("PUA"). PUA provides unemployment insurance ("UI") benefits for individuals who are not eligible for other types of unemployment (e.g., self-employed, independent contractors, gig economy workers). PUA provides unemployment payments for unemployment beginning on or after January 27, 2020 and ending before December 31, 2020 for a maximum payment of 39 weeks.

11. The Commonwealth of Massachusetts, Department of Unemployment Assistance ("DUA") administers and manages the PUA program in the Commonwealth of Massachusetts. In Massachusetts, the PUA minimum weekly benefit allowance is \$267. The PUA weekly benefit allowance can increase but may not be more than Massachusetts' maximum weekly benefit rate for regular unemployment benefits of \$823.00.

12. The CARES Act also created a new temporary federal program called Federal Pandemic Unemployment Assistance ("FPUC") that provided an additional \$600 weekly benefit to those eligible for PUA and regular UI.

13. One of the eligibility requirements for PUA is to be legally present in the United States and legally allowed to work. If a PUA claimant is not a United States Citizen, the claimant must provide a DHS number associated with their immigration visa and/or work authorization.

14. As part of the PUA application process, the claimant must provide first and last name, SSN, Date of Birth and a home address. In addition, the claimant must select preferred payment method: Direct Deposit or Debit Card.

15. On or about May 7 2020, a PUA claim was submitted for A.V.F. with a DOB xx/xx/1981, SSN xxx-xx-0664, and mailing address of 55 Lonsdale Street, Apt 2, Dorchester, Massachusetts. At the creation of the PUA claim account, A.V.F. stated his employment was first affected by COVID19 on February 6, 2020. A.V.F. claimed he was forced to quit his job due to COVID19, had \$116,902.00 in reported income in 2019, has been available to work since his employment was affected, has had no earnings since February 6, 2020, and is a United States Citizen. In addition, A.V.F. listed his state identification as being Sxxxx3734 from Massachusetts.

16. A.V.F. requested DUA monies for this claim be deposited onto a Bank of America DUA Pre-Paid debit card. Based on this request, Bank of America mailed out debit card # 5115600414768489 in the name of A.V.F. to the mailing address listed on the PUA claim, 55 Lonsdale Street, Apt 2, Dorchester, Massachusetts.

17. On or about May 26, 2020, DUA identified a suspected identity issue on A.V.F.'s PUA claim. As such, on or about June 9, 2020 an Identity Verification request letter was sent by DUA to A.V.F. electronically via the PUA portal. According to this letter, A.V.F. needed to provide verification of identity by June 22, 2020 to continue receiving PUA benefits.

18. On or about June 24, 2020, DUA sent a letter to A.V.F. informing that he failed to provide the requested identity verification to DUA. Based on this determination, DUA denied A.V.F.'s claim and did not release any monies on this claim.

19. On or about July 29, 2020, A.V.F. submitted to DUA electronic copies of a Social Security card in the name A.V.F. with an SSN xxx-xx-0664 and a Massachusetts Driver's License Sxxxx3734 in the name A.V.F. with a DOB xx/xx/1981 and an address of in Mattapan, Massachusetts. The production of these documents did not overturn DUA's denial of claim.

20. The PUA system tracks all activity associated with each registered account, and DUA maintains documentation of activity related to claimant and employer accounts. Included in those records are the IP addresses used by the computer that initiated activity on these accounts.

21. On or about July 28, 29 & 30, 2020, DUA logged IP address 144.121.14.152 when A.V.F.'s PUA account was accessed. Through publicly available databases, Lighttower Fiber Networks was identified as the Internet Service Providers ("ISP") and listed the subscriber for that account as Dorchester House/Codman Square Health Center, 1353 Dorchester Ave, Dorchester, MA 02122.

22. From on or about May 24, 2020 to August 2, 2020, DUA logged IP address 73.249.113.148 when A.V.F.'s PUA account was accessed 31 times. Through publicly available databases, Comcast Cable Communications, LLC was identified as the Internet Service Providers ("ISP"). According to Comcast Cable Communications, LLC, the subscriber for the account assigned to IP address 73.249.113.148 is Person 1, with an address in Dorchester, Massachusetts.

23. The DUA PUA portal is housed by a server located in Colorado.

Confirmation of a Valid Social Security Number

24. The Social Security Administration (“SSA”), Office of Inspector General has confirmed that SSN xxx-xx-0664 is assigned to A.F.V.

Identification of the Imposter

25. Information from Puerto Rico’s Driver and Vehicle Information Database (“DAVID”) assigned to an individual named A.F.V. indicates that this person has a date of birth of xx/xx/1981, is assigned SSN xxx-xx-0664 and lives in San Juan, Puerto Rico. I have examined a photograph associated with that DAVID record for this person and conclude that the individual depicted in that photograph is not the same individual depicted in the stored RMV photograph taken on January 20, 2011.

Search for Identification Documents

26. As noted above, the address of 55 Lonsdale Street, Apt 2, Dorchester, Massachusetts was associated with MassHealth and CARES Act benefits sought by and/or provided to the individual using the A.F.V. identity.

27. On September 2, 2020, an MSP Trooper conducted surveillance in the area of 55 Lonsdale Street, Dorchester, Massachusetts and observed John DOE (the individual utilizing the A.F.V. identity and depicted in the stored RMV photograph taken on January 20, 2011) exit the residential building located at 55 Lonsdale Street and depart the area.

28. I know, based on my training and experience, that:

- a. Individuals often keep identification documents and other evidence of identity for long periods – sometimes years – and tend to retain such documents even when they depart a given residence. Such documents include social security cards, passports, tax returns, legal documents, utility bills, phone bills, health insurance or prescription cards, medical records,

marriage licenses, family records, scrapbooks, photographs, diplomas and other school records, birth certificates, immunization records, bank records, credit card statements, personal correspondence and books or mementos on which they have inscribed their names.

- b. Individuals often keep identification documents and other evidence of identity in their residence, in part to ensure the security of these documents and in part to allow for access to these documents when needed.
- c. In addition, it is common for those who use other persons' identities without authorization to maintain fraudulently obtained identification documents in secure locations within their residence to conceal them from law enforcement authorities; and,
- a. It is common for individuals who use fraudulently obtained identification documents to retain those documents for substantial periods of time so that they can continue to use the fraudulently obtained identities.

29. All agents participating in the search of the premises described in Attachment A will be informed of the full name represented by the initials that appear in Attachment B.

Conclusion

30. Based on the foregoing, I have probable cause to believe that, on or about August 10, 2016, John DOE (1) falsely represented, with intent to deceive and for any purpose, a number to be the social security account number assigned by the Commissioner of Social Security to him, when in fact such number is not the social security account number assigned by the Commissioner of Social Security to him, all in violation of 42 U.S.C. § 408(a)(7)(B); and (2)

knowingly transferred, possessed and used, during and in relation to any felony violation enumerated in 18 U.S.C. 1028A(c), and without lawful authority, a means of identification of another person in violation of 18 U.S.C. § 1028A.

31. Based on the forgoing, I have probable cause to believe that evidence, fruits, and instrumentalities of these crimes, as described in Attachment B, are located in the premises described in Attachment A.

Sworn to under the pains and penalties of perjury.

/s/ Peter Coste

PETER COSTE
Special Agent
Homeland Security Investigations

SUBSCRIBED and SWORN before me telephonically pursuant to Fed. R. Crim. P. 41(d)(3) this
20 day of October, 2020.


HON. M. PAGE KELLEY
United States Magistrate Judge

